

## **REMARKS**

### **Claim Rejections**

Claims 1 and 7 rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuo et al. (U.S. 6,109,969) in view of Wilson (U.S. 6,059,607). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuo and Wilson as applied to claim 1 and further in view of Wu (U.S. 6,641,429). Claims 3-5, 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kuo and Wilson and further in view of Davis (U.S. 5,518,421). Claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Kuo and Wilson as applied to claim 1 and further in view of Davis et al. (U.S. 4,457,575).

### **Drawings**

Applicant proposes to amend Figure 2 as illustrated in red on the attached photocopy. In Figure 2, it is proposed to add reference number --34--. No "new matter" has been added to the original disclosure by the proposed amendment to this figure. Approval of the proposed drawing change is respectfully requested.

The Examiner has objected to the drawings under 37 C.F.R. § 1.84(p)(4) insofar as reference characters "12" and "13" designated a same slot/hole. The specification has been amended to clarify that the connecting hole (13) is a portion of the connecting slot (12) that is located in the connecting section (16). Since the specification has been amended to distinguish the connecting hole (13) from the connecting slot (12), it is not believed that any drawing corrections are necessary.

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, except for the foregoing proposed drawing corrections, Applicants must assume that the drawings are acceptable as filed.

### **Priority Document**

The Office Action Summary mailed on August 11, 2004 indicates that the certified copy of the priority document has not been received. Applicant notes that the certified copy of Taiwan Application No. 092218346 was filed on August 11, 2004, as indicated by the attached copy of the PTO receipt card. Acknowledgment of the receipt of this document is requested.

**Amendments to Specification**

Applicant has amended the specification as noted above to cure obvious grammatical and idiomatic inaccuracies. It is believed that the foregoing amendments to the specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the specification.

**New Claims**

By this Amendment, Applicant has canceled claims 1-9 and has added new claims 10-13 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward an external high frequency connector for connecting to a high frequency cable (70) and a corresponding connector (80), the external high frequency connector comprising: an insulating body (10) having: a wiring section (15) having a plurality of contacts (60) connected to the high frequency cable; connecting section (16) having a connecting hole (13); a divider (14) located between the wiring section and the connecting section; a connecting slot (12) extending through the wiring section and the connecting section, the connecting hole communicating with the connecting slot; and at least one convexity (11) extending from a surface of the connecting section; a metal shield (20) encasing the insulating body and having: first and second metal bodies (21, 21'), each of the first and the second metal bodies having a protruding part (27) located on a first end, two side walls (22) located between the first end and the second end, and at least one through hole (25), each of the at least one convexity inserted into one of the at least one through hole, each protruding part of the first and the second metal bodies engaging the corresponding connector; a pair of metal body fastening slots (23) are located on each of the two side walls of the first metal body; and a pair of metal body fasteners (24) are located on each of the two side walls of the second metal body, each of the pair of metal body fasteners being inserted into one of the pair of metal body fastening slots; a positioner (30) located on a second end of one of the first and

the second metal bodies and having: a first wedge (31) having a fastening hole (32); and a second wedge (31') having a fastener (33) inserted into the fastening hole, the high frequency cable connected to the positioner; and external packaging (40) located on an exterior of the insulating body, the cable and the metal shield, and extending from the divider to the cable.

Other embodiments of the present invention include: the connecting section includes a guiding convex (17) extending from an exterior side thereof and corresponding with the corresponding connector; the fastener includes a plurality of teeth (34) located on opposing sides thereof; and each of the first and the second metal bodies has at least one gripping hole (26) engaging the corresponding connector.

The primary reference to Kuo et al. discloses a cable connector having a housing (2) with a circuit board (3) to reach conductor (41) of a cable connector, and an EMI shield (5) located around the housing, and an outer shell (6) located around the EMI shield.

Kuo et al. do not teach a connecting slot extending through the wiring section and the connecting section, the connecting hole communicating with the connecting slot; at least one convexity extending from a surface of the connecting section; each of the first and the second metal bodies having a protruding part located on a first end; each of the at least one convexity inserted into one of the at least one through hole; each protruding part of the first and the second metal bodies engaging the corresponding connector; a first wedge having a fastening hole; a second wedge having a fastener inserted into the fastening hole; the connecting section includes a guiding convex extending from an exterior side thereof and corresponding with the corresponding connector; the fastener includes a plurality of teeth located on opposing sides thereof; nor do Kuo et al. teach each of the first and the second metal bodies has at least one gripping hole engaging the corresponding connector.

The secondary reference to Wilson discloses a shielded electrical connector including a shell assembly (38) including a front shell (40) and two back shells (48). The front shell is connected to one of the two back shells. Each back shell includes a pair of crimp fingers (64) and a single crimp finger (62).

Wilson does not teach at least one convexity extending from a surface of the connecting section; each of the first and the second metal bodies having a protruding part located on a first end; each of the at least one convexity inserted into one of the at least one through hole; each protruding part of the first and the second metal bodies engaging the corresponding connector; a first wedge having a fastening hole; a second wedge having a fastener inserted into the fastening hole; the connecting section includes a guiding convex extending from an exterior side thereof and corresponding with the corresponding connector; the fastener includes a plurality of teeth located on opposing sides thereof; nor does Wilson teach each of the first and the second metal bodies has at least one gripping hole engaging the corresponding connector.

The secondary reference to Wu discloses an electrical cable assembly including an electrical cable (2) located between a back shell (10) and a back shell cover (40). The cable is connected to the back shell by a strain relief member (30) having a pair of legs (34) having a plurality of burrs (35).

Wu does not teach at least one convexity extending from a surface of the connecting section; each of the first and the second metal bodies having a protruding part located on a first end; each of the at least one convexity inserted into one of the at least one through hole; each protruding part of the first and the second metal bodies engaging the corresponding connector; a pair of metal body fastening slots are located on each of the two side walls of the first metal body; a pair of metal body fasteners are located on each of the two side walls of the second metal body, each of the pair of metal body fasteners being inserted into one of the pair of metal body fastening slots; a first wedge having a fastening hole; a second wedge having a fastener inserted into the fastening hole; the connecting section includes a guiding convex extending from an exterior side thereof and corresponding with the corresponding connector; nor does Wu teach each of the first and the second metal bodies has at least one gripping hole engaging the corresponding connector.

The secondary reference to Davis discloses a two piece shell for a connector including a housing (2) having contacts (4, 5), and two telescopic shells (37, 38) that fit and slide one within the other.

Davis does not teach each of the first and the second metal bodies having a protruding part located on a first end; each of the at least one convexity inserted into one of the at least one through hole; each protruding part of the first and the second metal bodies engaging the corresponding connector; a first wedge having a fastening hole; a second wedge having a fastener inserted into the fastening hole; the connecting section includes a guiding convex extending from an exterior side; nor does Davis teach thereof and corresponding with the corresponding connector.

The secondary reference to Davis et al. discloses an electrical connector including a molded housing (20) located within a sheet-metal plug shield (48).

Davis et al. do not teach a connecting slot extending through the wiring section and the connecting section, the connecting hole communicating with the connecting slot; a metal shield having first and second metal bodies; each of the first and the second metal bodies having a protruding part located on a first end; each protruding part of the first and the second metal bodies engaging the corresponding connector; a first wedge having a fastening hole; a second wedge having a fastener inserted into the fastening hole; nor do Davis et al. teach external packaging located on an exterior of the insulating body.

Even if the teachings of Kuo et al., Wilson, Wu, Davis, and Davis et al. were combined, as suggested by the Examiner, the resultant combination does not suggest: each of the first and the second metal bodies having a protruding part located on a first end; each protruding part of the first and the second metal bodies engaging the corresponding connector; a first wedge having a fastening hole; nor does the combination suggest a second wedge having a fastener inserted into the fastening hole.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references, combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Kuo et al., Wilson, Wu, Davis, or Davis et al. that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Kuo et al., Wilson, Wu, Davis, nor Davis et al. disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

**Summary**

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: November 8, 2004

By: \_\_\_\_\_

  
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Application No. 10/760,289

**IN THE DRAWINGS:**

Please amend Figure 2 as illustrated in red on the attached photocopy.